



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ERIC T. SCHNEIDERMAN
ATTORNEY GENERAL

DIVISION OF STATE COUNSEL
LITIGATION BUREAU

February 15, 2018

By ECF

Hon. Richard M. Berman
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Citizens Union, et al. v. The Governor of the State of New York in his official capacity, et al.*, SDNY No. 16 Civ. 9592 (RMB)

American Civil Liberties Union Foundation, Inc., et al. v. Seth H. Agata, in his official capacity as Executive Director of the Joint Commission on Public Ethics, et al., SDNY No. 16 Civ. 9854 (RMB)

Lawyers Alliance for New York, et al. v. Eric T. Schneiderman, in his official capacity as the Attorney General of the State of New York, SDNY No. 17-cv-1655 (RMB) (KHP)

Dear Judge Berman:

I represent defendant Eric T. Schneiderman, sued in his official capacity as the Attorney General of the State of New York (the “AG”), the sole remaining defendant in the above-referenced consolidated actions. As Your Honor may recall, on October 18, 2017, the Court granted the AG’s request to hold these cases in abeyance pending the Second Circuit’s decision in *Citizens United v. Schneiderman*, 2016 U.S. Dist. LEXIS 115495, *30 (S.D.N.Y. 2016) (Stein, J.), *appeal docketed*, No. 16-3310 (2d Cir.) (“*Citizens United*”). See Dkt No. 123. I am writing to advise the Court that the Second Circuit issued its decision in *Citizens United* today. A copy of the decision is attached as Exhibit 1 to this letter.

Hon. Richard M. Berman

Citizens Union v. Governor of NY, SDNY No. 16 Civ. 9592

ACLU v. Agata, SDNY No. 16 Civ. 9854

Lawyers Alliance for NY v. Schneiderman, SDNY No. 16 Civ. 1655

February 15, 2018

Page 2

In light of this development, the next step in these actions is for the plaintiffs to file preliminary injunction applications or summary judgment motions. I will confer with plaintiffs' counsel on a briefing schedule so the parties can make a proposal to the Court shortly.

Respectfully submitted,

/s/ Andrew Amer

Andrew Amer
Special Litigation Counsel
(212) 416-6127

cc: All Counsel of Record (by ECF)